

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

PREPARED BY: David M. Abramson, Planner III

SUBJECT: B&R Development/7780 Griffin Road/Generally located on the southeast intersection of Griffin Rd and Southwest 78th Ave

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM: Site plan extension request for B & R Development

REPORT IN BRIEF:

The petitioner (B&R Development) received site plan approval from the Town Council on October 19, 2005 for a new two-story, 19,600 square foot professional office building within the Griffin Corridor District. However, this approval was conditioned upon the petitioner meeting with the Mayor to work out acceptable issues. The final meeting with the Mayor and Staff occurred on 11/15/06.

The following information is a timeline relating to B&R Development's Site Plan Application:

1. *Submittal - 7/13/04*
2. *DRC - 9/14/04*
3. *Site Plan Committee Meeting - 7/26/05*
4. *Town Council - 9/7/05 (Tabled)*
5. *Town Council Approval - 10/19/05*
6. *The Mayor, Marcie Nolan, David Abramson, and petitioner - 1st meeting 10/20/05, 2nd meeting 10/25/05, and 3rd meeting 11/15/05*
7. *Petitioner submitted to Planning and Zoning Division for final review and sign-off of plans 1/10/06*
8. *Planning and Zoning Division sign-off of plans - 2/6/06*

In accordance with Town of Davie Land Development Code, §12-373 Expiration of Site Plans, all site plans approved pursuant to this section shall expire twelve (12) months from the date of approval, which expiration shall automatically occur without further notice to the petitioner for whom said plan was approved unless a Town of Davie construction permit is secured and maintained pursuant to the approved site plan.

It is further provided that one (1) renewal for an additional six-month period may be obtained upon application to the Director of Development Services within thirty (30) days of expiration and payment of one-half (1/2) of the fee that would be required if submitted as a new site plan, providing that the site plan shall be in compliance with any new ordinance or provision of the Code of Davie which shall have been enacted since the original site plan approval.

The petitioner did not secure and maintain a construction permit nor request a six (6) extension for said site plan application and therefore, was considered expired one-year from Town Council approval on October 19, 2005 (**October 19, 2006**).

As a result of this section of the code, the petitioner is requesting that the Town Council approve a six (6) month extension from Planning and Zoning Division's sign-off on February 6, 2006 and not Town Council approval on October 19, 2006 as required by code.

PREVIOUS ACTIONS:

n/a

CONCURRENCES:

n/a

ATTACHMENTS:

Extension Request Letters

BARR
Architectural
studio
The Design-Build Company

Town of Davie
Mark Kutney, Director of Development Services
6591 Orange Drive
Davie, FL 33314

November 3, 2006

RE: B & R Development

Dear Mr. Kutney,

As you're aware I'm the Architect on the above referenced project and I'm also a managing partner.

It has been brought to my attention the Town believes the Site Plan approval for this project has expired. It is my understanding Site Plan approval is valid for 12 months. As such the Planning Department approved the final Site Plan package on February 6, 2006 and therefore the approval is valid until February 6, 2007.

Perry Richter, Managing Partner, spoke with David Abramson last week and was informed the 12 month period starts upon receipt of Town Council approval. While this may be a valid course of action for the Town on most projects, it hardly applies to this project.

The Town Council on October 19, 2006 approved the project with the contingency that I continue to work with the Mayor and staff on the development of the project. More specifically the Council wanted the color of the building, roof color, fenestration dimensions and locations and rear entry configuration addressed.


For several weeks following the Town Council meeting I met with the Mayor, Marcy Nolan and David Abramson at the Mayors office on Davie Road. I worked with the Mayor and the Town's staff addressing the aforementioned issues until all parties were satisfied. The process concluded with the final Site Plan package submittal to the Planning Department on January 10, 2006. On February 6, 2006 the project received final approval. Please see the attached documents.

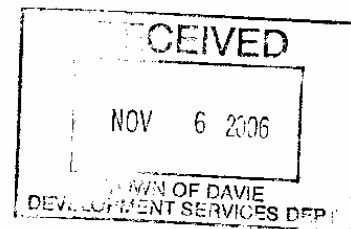
Mr. Kutney, I kindly request the Planning Department to revise their records to reflect the final approval date as February 6, 2006.

Additionally, I request a one time Site Plan approval extension of six months. The additional time will permit me to continue with the development of the project.

As always please feel free to call me with any questions.

Sincerely,


Ron Barr, A.I.A.
President



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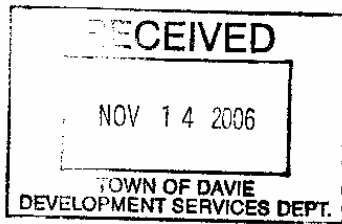
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TEL (954) 418-BARR FAX (954) 212-2962

AR0016160 • CGC1504430

(2071)

11/6 @ 11:08 called Mr. Barr
(Message left)



*Orig → P2;
Pls. schedule
for Town Council*

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The Design-Build Company

Town of Davie
Mark Kutney, Director of Development Services
6591 Orange Drive
Davie, FL 33314

November 13, 2006

RE: B & R Development

Dear Mr. Kutney,

Please accept this letter as my formal request to be placed on the next Town Council Meeting Agenda.

It is my hope and desire to address the issues raised in my November 13, 2006 letter regarding the correct Planning and Zoning approval date for the above referenced project.

As always please feel free to call me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to be "Ron Barr", written over a horizontal line.

Ron Barr, A.I.A.
President

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